



**City of Annapolis**  
**Planning and Zoning Department**  
159 Duke of Gloucester Street  
Annapolis, Maryland 21401  
410 - 263-7961

Date received \_\_\_\_\_

Application Filing # \_\_\_\_\_

### REZONING APPLICATION FORM

#### Part I. Applicant Information

Owner of Property \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Applicant/Agent (if not Owner) \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

#### Part II. Property Information

Location \_\_\_\_\_

Tax Map Parcel No. \_\_\_\_\_ Size (acreage/square feet) \_\_\_\_\_

Existing Zoning Classification \_\_\_\_\_ Proposed Zoning Classification \_\_\_\_\_

The undersigned requests that the zoning designation of the above-referenced property be changed from the current zoning designation to the requested zoning designation referenced.

\_\_\_\_\_  
Signature of Property Owner(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner(s)

\_\_\_\_\_  
Date

## **GENERAL INFORMATION AND INSTRUCTIONS FOR REZONINGS**

### **Purpose/Description**

The purpose of a rezoning or zoning map amendment application is to change the land use classification (or zone) of a parcel of land. Through rezoning, for example, land may be redesignated from residential to commercial uses, or from a single-family to multi-family residential use.

The rezoning of property can be a complex process. State law places a heavy burden of proof on the rezoning applicant. In order for the City Council to approve a rezoning, the applicant must prove that either:

- There has been substantial change in the character of the neighborhood where the property is located; or
- There was a mistake in the existing zoning classification.

An applicant may seek rezoning for a parcel which has:

- A minimum of 200 feet of road frontage, or
- Contains 25,000 square feet of lot area, or
- Adjoins a lot, lots, or parcel of land which bears the same zoning district classification as the proposed zoning amendment.

### **Authority**

*Annapolis City Code and Charter*, Chapter 21.84, provides the authority to rezone land. This Code section outlines the rules, procedures and guidelines which an applicant and the City must follow when rezoning property is proposed. The rezoning process is a two tiered review involving the Planning Commission and City Council.

The zoning of land for certain uses is based upon a series of precepts granted to all governmental agencies through the use of police powers. Some of these basic precepts in regard to zoning are listed below:

- \* Existing zoning as designated by the City zoning map is strongly presumed to be correct.
- \* The existing zoning grants a reasonable use of a piece of property to an owner.
- \* Rezoning is an action by City Council and the burden of proof lies entirely with the applicant.

### **Rezoning Findings**

In reviewing applications, the Planning Commission and City Council will consider evidence presented by the city staff, members of the general public and by the applicant. The City Council will also consider the findings of fact presented by the Planning Commission. The standards used by the Planning Commission and the City Council vary and are described below:

#### Planning Commission Standards

The Commission shall not recommend the adoption of a proposed rezoning unless it finds that the adoption of such an amendment is in the public interest and is not solely in the interests of the applicant. The findings will be based on the following standards:

- Describe the existing uses of property within the general area of the property in question.
- Identify the zoning classification of property within the general area of the property in question;

- Explain the suitability of the property in question to the uses permitted under the existing zoning classification;
- Describe the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification;
- State the minimum lot size. A lot, lots or parcel of land shall not qualify for a zoning amendment unless it possesses two hundred feet of frontage or contains twenty-five thousand square feet of area, or adjoins a lot, lots or parcel of land which bears the same zoning district classification as the proposed zoning amendment.

#### City Council Standards

Following the public hearing, the Mayor and Aldermen will make findings of fact in each specific case including but not limited to the following standards:

- Explain any change in population;
- Describe the availability of public services;
- Describe present and future transportation patterns;
- Explain the compatibility of the proposed rezoning of the subject property with the existing and proposed development for the area;
- Explain the relationship of the proposed zoning change to the City's Comprehensive Plan;
- Will the rezoning create a substantial change in the character of the neighborhood?
- Was a mistake made in the existing zoning classification that necessitates this change?

#### **Submittal Requirements**

The following items must accompany the application for a rezoning request:

1. A completed rezoning application (Label as Exhibit #1).
2. A properly prepared plat of the subject property folded to a maximum size of 9" x 14". The total area of the property shall be indicated on the plat in acres or square feet (Label as Exhibit #2).
3. A set of four maps at a scale of 1" = 200' consisting of two tax maps and two topographic maps, one pair labeled Existing Zoning and one pair labeled Proposed Zoning (Label as Exhibit #3).
4. A vicinity map of the general area at a scale of no less than 1" = 800' (Label as Exhibit #4).
5. A land use plan of the surrounding area, at a scale of 1" = 200', folded to a maximum size of 9" x 14" (Label as Exhibit #5).
6. A metes and bounds description of the subject property (Label as Exhibit #6).
7. A complete list of property owners within two hundred (200) feet of the subject property. Please include names and addresses for each property. For absentee property owners indicate their mailing address and address of the property they own (Label as Exhibit #7).
8. One set of plain #10 envelopes, with proper postage (do not use metered postage, please use stamps) addressed to each adjacent property owner listed under Exhibit #7 above.
9. A list, with names and addresses, of all persons having a financial or vested interest in the subject property, and, in the case of firms, partnerships, and/or corporations, the names and addresses of all principals or presidents who have a financial or vested interest in the property (Label as Exhibit #8).
10. A written statement pertaining to each of the Planning Commission standards, Section 21.84.040 (Label as Exhibit #9).
11. A written statement of evidence pertaining to each of the City Council standards, Section 21.84.060 (Label as Exhibit #10).

12. A check payable to the City of Annapolis based on the zoning designation sought and the size of the parcel, Section 21.82.020:

Residential	\$650.00
plus per acre or fraction of an acre	\$75.00
Commercial	\$900.00
plus per acre or fraction of an acre	\$75.00
Industrial	\$650.00
plus per acre or fraction of an acre	\$75.00
Maritime	\$900.00
plus per acre or fraction of an acre	\$75.00

13. Any additional information as may be specified by the Planning & Zoning department, Planning Commission, or the Mayor and Aldermen.

The initial submittal (exhibits) shall include and be submitted as follows:

- Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and check should be assembled into one package and clearly marked "MASTER PACKAGE"
- Eight agency review packages that should include exhibits 1, 2, 3, 4, 5, 9 and 10.

Prior to the Planning Commission hearing, packages as follow will be required:

- Exhibits 1, 2, 3, 4, 5, 8, 9, and 10 must be assembled into nine (9) packages and clearly marked "PLANNING COMMISSION". This information is required at the time you pick up the signs for posting on the property.

Prior to the City Council public hearing, fourteen (14) packages will be required:

- Exhibits 1, 2, 3, 4, 5, 8, 9, and 10 must be assembled into fourteen (14) packages and clearly marked "CITY COUNCIL". This information is required at the time you pick up the signs for posting on the property.